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October 7, 2021

Honorable Katherine Polk Failla
United States District Judge
United States District Court
Southern District of New York
40 Foley Square (Room 2103)
New York, New York 10007

MEMO ENDORSED

Filed Via ECF & Email (Failla_NYSDChambers@nysd.uscourts.gov)

**RE: KYLE JOHNSON
21 CR 256 (KPF)**

Dear Judge Failla:

Please allow the instant correspondence to serve as Defendant, Kyle Johnson's, second letter motion in request of an adjournment.

Mr. Johnson's next conference with this Honorable Court is scheduled for October 12, 2021, at 11:00am.

The government has recently proposed a possible disposition of the instant matter. While I was able to meet with Mr. Johnson yesterday to discuss said offer, he requires additional time to contemplate the same. I respectfully remind this Honorable Court that Mr. Johnson is currently being housed in New Jersey. As such, I am unable to meet with him as easily and frequently as a defendant incarcerated at MDC/MCC.

For the foregoing reasons, I respectfully request a One (1) month adjournment of Mr. Johnson's aforementioned conference.

I have spoken with AUSA Swergold and he consents to my request.

Finally, I will be unavailable November 1st-5th, 9th & 18th.

I thank Your Honor in advance and apologize for any inconvenience.

Very truly yours,



Johnnie Woluewich, Esq

cc: AUSA Jason Swergold

Application GRANTED. The conference scheduled for October 12, 2021, is hereby adjourned to **December 3, 2021, at 3:00 p.m.** As before, this conference will proceed via videoconference. Access instructions for the public and the video participants will be distributed in advance of the conference.

The Clerk of Court is directed to terminate the pending motion at docket entry 22.

Date: October 7, 2021 SO ORDERED.
New York, New York



HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE